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PTO/SB/05 (03-01)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1530.0180002/EKS/EJH
First Inventor	Marston Manthorpe
Title	Compositions and Methods for <i>in vivo</i> Delivery of Polynucleotide-Based Therapeutics
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 144]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 29]
5. Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Two (2) Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Authorization under 37 C.F.R. § 1.136(a)(3)
- Other: The name of the assignee is: Vical Incorporated

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-Part (CIP) of prior application No: /
Prior application information: Examiner Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label Correspondence address below

Customer No. 26111

(Insert Customer No. or Attach bar code label here)

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COUNTRY	TELEPHONE	FAX	

NAME (Print/Type)	Elizabeth J. Haanes, Ph.D.	Registration No. (Attorney/Agent)	Elizabeth J. Haanes, Ph.D.
SIGNATURE			
Date	Aug 23, 2001		

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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April 23, 2001

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Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. To be assigned; Filed: Herewith
For: **Compositions and Methods for *in vivo* Delivery
of Polynucleotide-Based Therapeutics**
Inventors: Manthorpe *et al.*
Our Ref: 1530.0180002/EKS/EJH

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

Compositions and Methods for *in vivo* Delivery of Polynucleotide-Based Therapeutics

and naming as inventors:

Marston MANTHORPE
Jukka HARTIKKA
Loretta SUKHU

the application comprising:

Commissioner for Patents
April 23, 2001
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- a. specification containing:
 - i. 114 pages of description prior to the claims;
 - ii. 29 pages of claims (163 claims);
 - iii. a one (1) page abstract;
- b. 29 sheets of informal drawings: (Figures 1, 2A, 2B, 2C-2D, 3, 4, 5, 6A-6F, 7A-7B, 8, 9A-9B, 10, 11, 12, 13, 14, 15, 16A-16C, 16D, 17A-17B, 18, 19A-19B, 20A-20B, 21, 22, 23, 24, 25, and 26); and
- c. an Application Data Sheet (37 C.F.R. § 1.76).

3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (*in duplicate*); and
4. Two (2) return postcards.

The name of the assignee is: **Vical Incorporated**.

Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Agent for Applicants
Registration No. 42,613

EJH/pcd
Encls.